

East Hampton, NY
Water Recharge Overlay District
Contact: Ms. Judy Cooper
Planning Department
(516)324-0496
Zoning Ordinance
Adopted: 1984
Revised: 1990

The following Resolution was offered by supervisor Bullock, seconded by councilwoman Lester and adopted: WHEREAS, the Town Board held a public hearing of September 1 1989 to consider a local law providing for amendment to chapter 153 (Zoning) to the East Hampton Town code, providing for a modification of clearing restrictions in the Water Recharge Overlay District; and whereas, the Suffolk /county Planning Commission has informed the town that this zoning amendment is a matter for local determination; and whereas, the town Board has reviewed and considered the comments of the Planning Board, dated August 4, 1989 with regard to this matter, and whereas, review pursuant Of eh State Environmental quality Review Act (SWQRA) and chapter 75 Environmental quality Review, the East Hampton town Code has shown that the adoption of this local law is an unlisted action and an Environmental Assessment form and an environmental assessment has been conducted by the Planning Department indicating that the proposed change will not ha e a significant adverse effect on the environment and a Negative declaration pursuant to SEQRA is hereby issued by the this Board, now therefore, be it

LOCAL LAW NO.

Introductory ILO
(Print #2)

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(LOCAL' LAW AMENDING CHAPTER 153.~

(WATER, RECHARGE OVERLAY DISTRICT).'

Section 1. FINDINGS'

1. Experience gained in the administration of the Town Zoning Code has shown That~t in certain circumstances existing regulations limiting clearing within the Towns Water Recharge Overlay District require adjustment.
2. For this reason, the Town Board now wishes to refine clearing restrictions while continuing to protect important. water recharge areas of the Town by continuing to require maintenance of natural vegetation.

Section 2. TOWN CODE AMENDED

A. Section 153~3~65(E) is hereby amended to read in its entirety as follows:

E. Limited Clearing of Lots.

(1) The total area cleared of indigenous natural vegetation including areas cleared and subsequently devoted to fertilized vegetation, on any lot wholly or partly, within the overlay district shall not exceed that portion of lot area, excluding flag access strips, set forth on the following table:

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CLEARING IN WATER~Recharge OVERLAY DISTRICT

- (1) Lot area must exceed 200,000 square feet; and
- (2) Parcel must not be capable of further sub division; and
- (3) A plan must be submitted demonstrating that proposed clearing will fit into the master plan for the development of the parcel and will not require additional future clearing; and
- (4) The proposed use for the cleared area shall not degrade or pose potential dangers to the underground water supply.

Section 3. VALIDITY

Should any part, section or provision of this local law be decided by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this local law as a whole, nor the validity of any part, section or provision hereof other than that decided to be~ unconstitutional or invalid.

Section 4. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York Secretary of State as proved for by law.